

# FILED

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N.J. BOARD OF NURSING

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF	:	
	:	Administrative Action
ANGELA D. SARABO, L.P.N.	:	
License No. 26NP06234900	:	FINAL ORDER
	:	OF DISCIPLINE
TO PRACTICE NURSING	:	
IN THE STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Nursing (the "Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

#### FINDINGS OF FACT

1. Angela D. Sarabo ("Respondent") is a licensed practical nurse in the State of New Jersey and has been a licensee at all relevant times.

2. On or about February 2, 2013, the Board received information from Respondent's employer indicating that Respondent was terminated from her employment due to falsified documentation. Specifically, on February 12, 2013, Respondent submitted nurse's notes indicating she had provided home care services for a client on Saturday, February 9, 2013. In fact,

the patient was hospitalized at the time and was not released until February 10, 2013.

3. On or about May 10, 2013, Respondent completed an online biennial license renewal application which asked "Will you have completed the required continuing education credits by May 31, 2013," referring to the thirty hours of continuing education required during the June 1, 2011 - May 31, 2013 biennial renewal period. Respondent answered "yes" and certified that answer to be true by submitting the online application.

4. On August 13, 2013, the Board sent Respondent a Demand for Written Statement Under Oath regarding the allegations surrounding her termination. The letter sought additional information, including all certificates of completion of continuing education credits earned during the June 1, 2011 - May 31, 2013 biennial renewal period.

5. On or about August 22, 2013, Respondent provided a written response to the Board, in which she admitted to submitting documentation indicating she had provided care for the patient on February 9, 2013 when she did not, in fact, care for the patient on that date. The patient was supposed to be released from the hospital on that day and Respondent was supposed to care for the patient after the patient arrived home,

but the patient was not released home as anticipated. Respondent indicated that her regular practice with this client included having the client sign a blank "nurse shift note & time record," which was left in the patient's chart, and that Respondent would fill out the pre-signed record so as to not wake the client when she was ready to leave her shift. Although Respondent maintained that she merely wrote the incorrect date, she did not provide any explanation as to which date those detailed notes actually corresponded.

6. In the same response, Respondent attached certificates of completion indicating that she had completed 12 hours of continuing education during the June 1, 2011 - May 31, 2013 biennial period, but failed to provide any certificates of completion for the additional eighteen hours required.

#### CONCLUSIONS OF LAW

Pursuant to N.J.A.C. 13:37-5.3, a nurse shall complete a minimum of 30 hours of continuing education per biennial period. Falsification of any information submitted on the renewal application may result in penalties and/or suspension or revocation of the license. N.J.A.C. 13:37-5.3(a). Additionally, a registered professional nurse or licensed practical nurse shall maintain continuing education compliance documentation for

a period of four years after completion of the hours and shall submit such documentation to the Board upon request. N.J.A.C. 13:37-5.3(f).

Respondent failed to demonstrate, to the satisfaction of the Board, that Respondent completed the required continuing education credits for the June 1, 2011 - May 31, 2013 biennial renewal period. Respondent's failure to complete 30 hours of continuing education during the June 1, 2011 - May 31, 2013 biennial period constitutes a violation of N.J.A.C. 13:37-5.3, which the Board deems professional misconduct within the intendment of N.J.S.A. 45:1-21(e) and also constitutes a violation or failure to comply with a regulation administered by the Board within in the intendment of N.J.S.A. 45:1-21(h).

Further, the Board finds that Respondent's submission of her 2013 renewal, wherein she answered affirmatively that she had completed, or would complete, the required continuing education, when she did not complete the required continuing education, constitutes the use or employment of dishonesty, deception, or misrepresentation within the intendment of N.J.S.A. 45:1-21(b). See also N.J.A.C. 13:37-5.3.

Respondent further engaged in the use or employment of dishonesty, deception, or misrepresentation within the

intendment of N.J.S.A. 45:1-21(b) by submitting a falsified document to her nursing employer.

#### DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline imposing a civil penalty, reprimand, and suspending Respondent's license to practice as a licensed practical nurse in the State of New Jersey was entered on January 7, 2014. Copies were served on Respondent via regular and certified mail. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the thirtieth day following entry unless Respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefor.

To date, Respondent has not submitted a response to the Provisional Order. Although the Provisional Order sent by means of certified mail was returned as "unclaimed", the regular mail was not returned. Because the Order was forwarded to Respondent's address of record, the Board deems service to have

been effected. Respondent can not evade process by failing to respond. Accordingly, the Board determined that further proceedings were not necessary and that the Provisional Order should be made final.

ACCORDINGLY, IT IS on this 7<sup>th</sup> day of Apr., 2014,  
ORDERED that:

1. Angela D. Sarabo's license to practice as a licensed practical nurse is suspended until such time as Respondent provides proof of completion of 30 hours of continuing education to be applied to the June 1, 2011 - May 31, 2013 biennial period. Continuing education completed after May 31, 2013 and applied to cure any deficiency of previous biennial periods shall not be used to satisfy the requirements of the current biennial period.

2. A civil penalty in the amount of two hundred and fifty dollars (\$250) is imposed upon Respondent for failing to timely complete her continuing education requirements. Payment shall be made by certified check or money order payable to "State of New Jersey," delivered to George Hebert, Executive Director, State of Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101. Payment shall be made no later than fifteen (15) days after the entry of this Final Order of Discipline. In the event

Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

3. Respondent is reprimanded for her two violations of N.J.S.A. 45:1-21(b).

4. Respondent shall complete a Board-approved ethics course and submit documentation to the Board within one month of the filed date of this Final Order of Discipline.

5. Respondent shall refrain from practicing as a licensed practical nurse in the State of New Jersey and shall not represent herself as a licensed practical nurse in the State of New Jersey until such time as Respondent's license is reinstated. Any practice in this State prior to reinstatement shall constitute grounds for a charge of unlicensed practice.

NEW JERSEY STATE BOARD OF NURSING

By: \_\_\_\_\_

Patricia Murphy, PhD, APN  
President